

## SUPREME COURT WATCH

### A digest of recent significant decisions of the Supreme Court of Canada

by Jonathan Batty

#### **Ramsden v. Peterborough (City) [1993] September 2**

Ramsden was fined \$125 in 1988 for violating a municipal bylaw in Peterborough that banned postering on trees, poles, and public property. Ramsden's lawyer argued that the bylaw infringed the freedom of expression guaranteed by section 2(b) of the Charter, and was not a justified limit in a free and democratic society. The Supreme Court unanimously agreed that preventing the musician from posting advertisements for his band was a violation of his constitutional rights. The judgment was critical of the total ban on postering, but conceded that some governmental restrictions on the freedom of expression could be justified.

#### **Haig v. Canada (Chief Electoral Officer) [1993] September 2**

In the six months prior to the 1992 constitutional referendum, Haig moved from Ontario to Quebec. As a result, he did not meet the residence requirements contained in the federal *Referendum Act* or its Quebec counterpart. Haig sought a declaration in the Federal Court that he was eligible to vote, or in the alternative, that the legislation violated his Charter rights. Specifically, he argued his rights under sections 2(b), 3, and 15(1) were violated. The appeal was dismissed. The majority held that the Act was constitutional, with Chief Justice Lamer and Justice Iacobucci dissenting.

## PARLIAMENTARY UPDATE

The House of Commons recessed on June 16th until September 20. On September 8th, Parliament was dissolved and an election called for October 25, 1993.

## CANADA WATCH CALENDAR

- Aug. 12 "Side deals" reached with the United States and Mexico on NAFTA.
- Aug. 26, 27 Annual Premiers Conference.
- Sept. 93 to Jan. 94 Fast tracking of NAFTA through U.S. Congress.
- Sept. 8 Parliament dissolved, federal general election called by Prime Minister Campbell.
- Sept. 21 Manitoba by-elections.
- Oct. 4 to 8 Leadership debates in French and English.
- Oct. 25 General election.

*Canada Watch* welcomes submissions on issues of current national interest. Submissions should be a maximum of 1,000 words. The deadline for consideration in our next issue is Monday, October 4, 1993. Write or fax us at:

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*"Minority Government,"  
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reduced. As for Jean Chrétien, he could presumably be persuaded to come to some kind of accommodation with the New Democrats if it meant moving into the corner office at the Langevin Block.

Of course, a Liberal-NDP alliance would only be viable if the NDP were to win enough seats to give it the

balance of power. It is still too early to tell whether the NDP under Audrey McLaughlin will be able to achieve that objective.

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